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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
8 AT SEATTLE

9 UNITED STATES OF AMERICA,

10 Plaintiff,

11 v.

12 MICHAEL JOHN DEROCHE,

13 Defendant.
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Case No. 2:19-CR-197-RSL

ORDER GRANTING
MOTION TO CONTINUE
TRIAL DATE

15 This matter comes before the Court on defendant Michael John Deroche's "Unopposed
16 Motion to Continue Trial and Pretrial Motions Dates." Dkt. #22. Having considered the facts
17 set forth in the motion, and defendant's knowing and voluntary waiver, the Court finds as
18 follows:

19 1. The Court adopts the facts set forth in the unopposed motion; specifically, that
20 defense counsel needs additional time to review the ongoing discovery provided by the
21 government and to prepare for trial. The Court accordingly finds that a failure to grant a
22 continuance would deny counsel, and any potential future counsel, the reasonable time
23 necessary for effective preparation, taking into account the exercise of due diligence, within the
24 meaning of 18 U.S.C. § 3161(h)(7)(B)(iv).
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26 2. The Court finds that a failure to grant a continuance would likely result in a
27 miscarriage of justice, as set forth in 18 U.S.C. § 3161(h)(7)(B)(i).
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3. The Court finds that the additional time requested between December 9, 2019, and the proposed trial date of June 1, 2020 is a reasonable period of delay, as defense counsel needs additional time to review discovery. The Court finds that this additional time is necessary to provide defense counsel reasonable time to prepare for trial, considering all the facts set forth above.

4. The Court further finds that this continuance would serve the ends of justice, and that these factors outweigh the best interests of the public and defendant in a speedier trial, within the meaning of 18 U.S.C. § 3161(h)(7)(A).

5. Defendant has signed a waiver indicating that he has been advised of his right to a speedy trial and that, after consulting with counsel, he has knowingly and voluntarily waived that right and consented to the continuation of his trial to a date up to and including June 16, 2020, Dkt. #23, which will permit trial to start on June 1, 2020, per the parties' request.

IT IS HEREBY ORDERED that the trial date be continued from December 23, 2019 to June 1, 2020.

IT IS FURTHER ORDERED that the pretrial motions deadline be continued to April 27, 2020.

IT IS FURTHER ORDERED that the period of time from the current trial date of December 23, 2019, up to and including June 16, 2020, shall be excludable time pursuant to 18 U.S.C. § 3161, *et seq.* The period of delay attributable to this filing and granting of this motion is excluded for speedy trial purposes pursuant to 18 U.S.C. §§ 3161(h)(1)(D), (h)(7)(A), and (h)(7)(B).

DATED this 19th day of November, 2019.

Mr S Casnik

Robert S. Lasnik
United States District Judge